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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,806	01/27/2004	Steven S. Homer	200312393-1	2458
22879	7590	06/14/2005		
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER EDWARDS, ANTHONY Q	
			ART UNIT 2835	PAPER NUMBER

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

Office Action Summary

Application No.

10/765,806

Applicant(s)

HOMER ET AL.

Examiner

Anthony Q. Edwards

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-13, 20-23 and 25 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 14-19 and 24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
Paper No(s)/Mail Date. 20050609.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-13, 20-23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,532,147 to Christ, Jr. in view of U.S. Patent No. 6,700,773 to Adriaansen et al. ("Adriaansen" hereinafter). Referring to claims 1 and 13, Christ, Jr. discloses a computing device (see Figs. 7-9) comprising a base or second portion (22), at least one center module disposed on and coupled to the base or second portion (i.e., data entry member/keyboard), see col. 3, lines 45-47, a lid or first portion (24), and a hinge structure (84/86) having a clutch member (i.e., holding or grasping means mentioned in col. 6, lines 20-24, which describes telescoping members (84/86) moving relative to each other and being "held fixed relation (*sic*) under frictional forces"). Although the "clutch" is not shown, the reference clearly describes the hinge member (84/86) having a clutch mechanism that holds the telescoping members relative to each other. Furthermore, since the telescoping members move and are held relative to each other, Christ, Jr., also discloses the clutch member having a variable height operable to enable the lid to close over the at least one center module. See Figs. 7-9 and col. 6, lines 20-28. Christ, Jr. lacks the at least one center module disposed on the base being a removable module. Adriaansen teaches providing at least one removable center module (143) coupled to a base (see Figs. 33-36).

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide the base of Christ, Jr. with the removable center module disposed thereon, as taught by Andriaansen, since the device of Andriaansen would provide the computing device of Christ, Jr. with alternate modes of data input.

Referring to claim 2, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the hinge structure is further operable to enable the lid to close over the base with the at least one removable center module removed from the base. As shown in Fig. 7 of Christ, Jr., the hinge structure is indeed operable as claimed, since the same or an even lesser amount of space would be required when the removable center module is removed from the base.

Referring to claim 3, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the clutch member, which is integrally formed within the hinge member, is operable to protrude above and beyond the base (20) at varying heights (see Figs. 7-9).

Referring to claims 4 and 5, Christ, Jr. in view of Andriaasen disclose a computing device as claimed. Although the embodiment shown in Figs. 7-9 of Christ, Jr. does not include a lock button, locking nib and notch, Figs. 2, 3a and 3b of said reference shows a computing device comprising at least one lock button (34) having a locking nib (52) operable to releasably engage at least one notch (63) defined in the clutch member (38). See col. 4, lines 27-33 of Christ, Jr.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include a lock button, locking nib and notch, as shown in Figs. 2, 3a and 3b of Christ, Jr., since this embodiment of Christ, Jr. provides a more controlled means of locking or engaging the clutch at various heights of the device.

Referring to claim 8, Christ, Jr. in view of Andriaasen disclose a computing device, wherein an opening (52) is defined in the base (20) to enable a user to manipulate the at least one lock button (34) toward and away from the clutch member. See Figs. 2, 3a and 3b of Christ, Jr.

Referring to claim 9, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the hinge structure rotatively couples the lid to the base. See Fig. 10 of Christ, Jr.

Referring to claim 10, Christ, Jr. in view of Andriaasen disclose a computing device, further comprising a plurality of electrical components housed in the base, and the at least one removable center module is electrically connectable to the plurality of electrical components. See Figs. 35 and 36, as well as col. 16, lines 44-50 of Andriaason.

Referring to claim 11, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the lid comprises a display screen. See col. 6, lines 7-16 of Christ, Jr.

Referring to claim 12, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the at least one center module comprises a first center module (111) operable to be disposed on and coupled to the base and second center module (123) operable to be disposed on and releaseably coupled to the first center module (111). See Figs. 30-31 of Andriaasen. Christ, Jr. in view of Andriaasen also disclose a computing device having a hinge structure enabling the lid to close over the second center module. See Figs. 7 and 8 of Christ, Jr., wherein the display (24) may be positioned at various heights in relation to the base (22) to allow the lid to close over both center modules as claimed.

Although Adriaansen does not specifically teach the first center module (111) operable to be releaseably or removably coupled to the base, it would have been obvious to one of ordinary skill in the art at the time of the invention to further modify the computing device of Christ, Jr. in

view of Andriaansen to include first and second center modules, both of which are releaseably coupled to the base, since this would allow for a greater variety of input devices to be interchangeably utilized in the computing device.

Referring to claim 20, Christ, Jr. in view of Andriaasen disclose a computing device comprising a base (20) adapted to receive a plurality of different size removable center modules (see Figs. 29 and 30 of Andriaasen), and a hinge structure (84/86) coupling a lid (34) to the base, the hinge structure adapted to accommodate the different sizes of removable center modules and enable closure of the lid relative to the base (see Figs. 7-9 of Christ, Jr.).

Referring to claim 21, Christ, Jr. in view of Andriaasen disclose a computing device, wherein the a hinge structure (84/86) comprises a clutch member (i.e., holding or grasping means mentioned in col. 6, lines 20-24, which describes telescoping members (84/86) moving relative to each other and being “held fixed relation (*sic*) under frictional forces”) adapted to protrude above the base at varying heights. Although the “clutch” is not shown, the reference clearly describes the hinge member (84/86) having a clutch mechanism that holds the telescoping members relative to each other at varying heights.

Referring to claim 22, Christ, Jr. in view of Andriaasen disclose a computing device as claimed, although the embodiment shown in Figs. 7-9 of Christ, Jr. does not include a lock button, locking nib and notch, Figs. 2, 3a and 3b of said reference shows a computing device comprising at least one lock button (34) having a locking nib (52) operable to releaseably engage at least one notch (63) defined in the clutch member (38). See col. 4, lines 27-33 of Christ, Jr.

As mentioned above, it would have been obvious to one of ordinary skill in the art at the time of the invention to include a lock button, locking nib and notch, as shown in Figs. 2, 3a and

3b of Christ, Jr., since this embodiment of Christ, Jr. provides a more controlled means of locking or engaging the clutch at various heights of the device.

Referring to claim 23 Christ, Jr. in view of Andriaasen disclose a computing device, wherein the hinge structure comprises a clutch member operable to receive a lock button to fasten the clutch member in one of a number of heights protruding above and beyond the base. See Figs. 2, 3a and 3b of Christ, Jr.

Referring to claim 25 Christ, Jr. in view of Andriaasen disclose a computing device, wherein the hinge structure rotatively couples the lid to the base. See Figs. 10-12 of Christ, Jr.

Allowable Subject Matter

Claims 6, 7, 14-19 and 24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: referring to claims 6, 16 and 24, the specific limitation of the hinge structure including at least one biasing member operable to exert a force on the clutch member vertically outwardly from the base, in combination with the rest of the elements is not taught or suggested by the prior art references. Claim 7 depends from claim 6 and is therefore allowable for at least the same reasons. Likewise, claims 17-19 depend, either directly or indirectly, from claim 16 and are therefore allowable for at least the same reasons.

Claims 14 and 15 are deemed to be directed to a non-obvious improvement over the prior art invention. The claims include the specific limitation of a clutch member disposed in the

second portion or base. The prior art teachings require that the clutch member be disposed at a position outside the base (e.g., at the side of the base), in order for the hinge structure to be operable to close the lid over the removable module. These features, in combination with the rest of the elements or steps, are not taught or suggested by the prior art references.

Response to Arguments

Applicant's arguments filed March 17, 2005 have been fully considered but they are not persuasive. As indicated in the above rejection, a clutch member in fact taught by Christ, Jr., since holding or grasping means are mentioned in col. 6, lines 20-24 of the reference. Said holding or grasping means allow telescoping members (84/86) to move relative to each other and then are "held fixed relation (*sic*) under frictional forces". Although the "clutch" is not shown, the reference clearly describes the hinge member (84/86) having a clutch mechanism that holds the telescoping members relative to each other. Furthermore, since the telescoping members move and are held relative to each other, Christ, Jr., also discloses the clutch member having a variable height operable to enable the lid to close over the at least one center module.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

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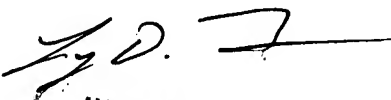
MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Q. Edwards whose telephone number is 571-272-2042. The examiner can normally be reached on M-F (7:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild can be reached on 571-272-2800, ext. 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 9, 2005
aqe


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